



General Assembly

Bill No. 2500

November 2 Special
Session, 2005

LCO No. 8579

*08579 _____ *

Referred to Committee on No Committee

Introduced by:

SEN. WILLIAMS, 29th Dist.

REP. AMANN, 118th Dist.

**AN ACT CONCERNING ENROLLMENT OF CERTAIN BENEFICIARIES
IN THE MEDICARE PART D PROGRAM.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 19 of public act 05-280, as amended by section 1 of
2 house bill 7702 of the current session, is repealed and the following is
3 substituted in lieu thereof (*Effective from passage*):

4 (a) As used in this section, "full benefit dually eligible Medicare Part
5 D beneficiary" means a person who has coverage for Medicare Part D
6 drugs and is eligible for full medical assistance benefits pursuant to
7 section 17b-261, under any category of eligibility.

8 (b) On and after the effective date of the Medicare Part D program
9 established pursuant to Public Law 108-173, the Medicare Prescription
10 Drug, Improvement, and Modernization Act of 2003, no Medicaid
11 prescription drug coverage shall be provided to a Medicaid recipient
12 eligible for Medicare Part D for Medicare Part D drugs, as defined in
13 said act. Medicaid coverage shall be provided to a full benefit dually

14 eligible Medicare Part D beneficiary for prescription drugs that are not
15 Medicare Part D drugs, as defined in said act.

16 (c) The department shall be responsible for payment on behalf of a
17 full benefit dually eligible Medicare Part D beneficiary of any Medicare
18 Part D prescription drug copayments imposed pursuant to Public Law
19 108-173, the Medicare Prescription Drug, Improvement, and
20 Modernization Act of 2003.

21 (d) To the extent permitted under federal law, the Commissioner of
22 Social Services may be the authorized representative of a full benefit
23 dually eligible Medicare Part D beneficiary for the purpose of enrolling
24 the beneficiary in a Medicare Part D plan.

25 Sec. 2. Subsection (f) of section 17b-492 of the general statutes, as
26 amended by section 22 of public act 05-280 and section 4 of house bill
27 7702 of the current session, is repealed and the following is substituted
28 in lieu thereof (*Effective from passage*):

29 (f) The Commissioner of Social Services [shall] may be the
30 authorized representative of a ConnPACE applicant or recipient for
31 [the purpose of] purposes of enrolling in a Medicare Part D plan or
32 submitting an application to the Social Security Administration to
33 obtain the low income subsidy benefit provided under Public Law 108-
34 173, the Medicare Prescription Drug, Improvement, and
35 Modernization Act of 2003. [As the authorized representative for this
36 purpose, the commissioner may also sign required forms and enroll
37 the applicant or recipient in a Medicare Part D plan on the applicant or
38 recipient's behalf.] The applicant or recipient shall have the
39 opportunity to select a Medicare Part D plan and shall be notified of
40 such opportunity by the commissioner. The applicant or recipient,
41 prior to selecting a Medicare Part D plan, shall have the opportunity
42 to consult with the commissioner, or the commissioner's designated
43 agent, concerning the selection of a Medicare Part D plan that best
44 meets the prescription drug needs of such applicant or recipient. In the
45 event that such applicant or recipient does not select a Medicare Part D

46 plan within a reasonable period of time, as determined by the
47 commissioner, the commissioner shall enroll the applicant or recipient
48 in a Medicare Part D plan designated by the commissioner in
49 accordance with said act. The applicant or recipient shall appoint the
50 commissioner as such applicant's or recipient's representative for the
51 purpose of appealing any denial of Medicare Part D benefits and for
52 any other purpose allowed under said act and deemed necessary by
53 the commissioner.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	HB 7702 (current session), Sec. 1
Sec. 2	<i>from passage</i>	17b-492(f)